

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

DIANE CHEATHAM,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 3:10-CV-541
	)	(VARLAN/GUYTON)
KNOX COUNTY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

This civil matter is before the Court on the Report and Recommendation (the “R&R”) entered by United States Magistrate Judge H. Bruce Guyton [Doc. 52]. In the R&R, Magistrate Judge Guyton recommends denying Knox County’s Motion for Attorney’s Fees [Doc. 43] because Knox County is not a prevailing party for purposes of 42 U.S.C. § 1988 and thus has failed to demonstrate a statutory prerequisite to the recovery of an award of attorney’s fees. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of the matter, the Court is in agreement with Magistrate Judge Guyton’s recommendations, which the Court adopts and incorporates into its

ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 52] and **DENIES** Knox County's Motion for Attorney's Fees [Doc. 43].

IT IS SO ORDERED.

s/ Thomas A. Varlan  
CHIEF UNITED STATES DISTRICT JUDGE